

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 779 OF 2025**

Suraj Vijay Dhanait ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

Mr. Akshay Bakapur, Advocate for the Applicant.

Smt. Ranjana D. Humane, APP for the State.

Ms. Saba Shaikh, Advocate for Respondent No.2.

PSI- P. V. Tagad, Wadner Bhairav Police Station, Nashik Gramin, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 231 of 2024 registered with Vadner Bhairav Police Station, Nashik for the offence punishable under Sections 137(2), 87, 65(1) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Sections 4,8 and 12 of Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”).

2. It is prosecution’s case that the applicant kidnapped minor daughter of the first informant and sexually assaulted her.

3. It is contention of learned counsel for the applicant that there was love affair between the applicant and victim. Victim herself called the

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applicant. When they both were chatting, at that time, victim's father found them, thereafter complaint was lodged. There is delay in lodging the complaint of earlier sexual assault. The applicant is behind bars for more than one year and five months. The applicant has no antecedents and requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant was 28 years old divorcee, whereas the victim was 14 years old. The applicant was aware about her age, yet applicant sexually assaulted the victim on several occasions. The medical report supports the prosecution's case. If the applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the application.

5. I have heard all learned counsel. Perused chargesheet and documents produced on record. It appears from the record that when the victim and applicants were present in cowshed, victim's father saw them and thereafter complaint was lodged against the applicant. In the victim's statement she has stated that on earlier 2-3 occasions, the applicant sexually assaulted her on the promise of marriage, but no complaint was filed earlier. The applicant is behind bars for more than one year and five months. There is no progress in the trial. Considering these facts, I pass following order.

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ORDER

- i. The applicant be enlarged on bail in C.R.No. 231 of 2024 registered with Vadner Bhairav Police Station, Nashik, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.
- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)